

**Appl. No.** : **10/655,852**  
**Filed** : **September 5, 2003**

### **AMENDMENTS TO THE CLAIMS**

1-5 Cancelled

6. (Original) A method of surgery using a bone morphogenic inducing protein which minimizes unintended post-surgical bone growth, the method comprising:  
resecting a posterior lateral herniation in a spinal disk annulus;  
forming an opening in the annulus in a posterior lateral location;  
introducing bone morphogenic protein (BMP) into the opening;  
sealing the opening with a biocompatible seal wherein the seal is positioned to cover the opening so as to inhibit leakage of the BMP into surrounding tissue.

7. (Original) The method of Claim 6 wherein the seal is substantially pliable.

8. (Original) The method of Claim 6 wherein sealing the opening includes positioning a protruding portion of the seal into the opening.

9. (Original) The method of Claim 6 further comprising affixing the seal in place.

10. (Original) The method of Claim 6 wherein is positioned so that at least a portion of the seal is received into the opening.

11. (Original) The method of Claim 6 wherein the seal includes a radiopaque material.

12. (Original) The method of Claim 6 wherein the seal is prepared in a color that contrasts with the colors of the viscera and skeletal tissue.

13-17 Cancelled